

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIGIDO RANGEL,

Defendant.

Case No. 15-cr-00579-VC-12

**ORDER DENYING MOTIONS TO
SUPPRESS STATEMENTS AND TO
DISMISS ON SPEEDY TRIAL
GROUNDS**

Re: Dkt. Nos. 344, 345

The motion to suppress Rangel's statements on August 12, 2015 is denied. *See Colorado v. Spring*, 479 U.S. 564, 573-75 (1987).

The motion to dismiss the indictment against Rangel for violations of his speedy trial rights is denied. The verifiable facts that are part of the record in the state and federal proceedings and the timeline of events in this case do not give rise to a concern that the state proceedings were a ruse to hold Rangel until the federal prosecutors were ready to bring charges. *See United States v. Benitez*, 34 F.3d 1489, 1493-94 (9th Cir. 1994); *United States v. Cepeda-Luna*, 989 F.2d 353, 357 (9th Cir. 1993); *United States v. Johnson*, 953 F.2d 1167, 1172 (9th Cir. 1992).¹

¹ Because the verifiable facts from the proceedings and the timeline don't give rise to a concern that the state prosecution was a sham, no evidentiary hearing would be required, even if Rangel had asked for one, to explore the other facts that Rangel may indeed dispute (for example, the ones asserted in the declarations filed by the government about the intent behind the actions of various government officials).

IT IS SO ORDERED.

Dated: May 4, 2017

A handwritten signature in black ink, appearing to read 'V. Chhabria', is positioned above a horizontal line.

VINCE CHHABRIA
United States District Judge